

TOWN OF TRURO  
BOARD OF SELECTMEN  
MEETING OF TUESDAY, JUNE 12, 2007

The Truro Board of Selectmen met for their weekly session on Tuesday, June 12, 2007 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Curtis Hartman, Jan Worthington, Town Administrator Pamela Nolan, Assistant Town Administrator Charleen Greenhalgh, Administrative Secretary Julie DuPree, Carol Nickerson, Martha Nagy, Charles Morton, Breon Dunigan, Deb McCutcheon, Helen McNeil-Ashton, Susan Kadar, Bill Golden, Marian Averback, Tracey Rose, Claire Perry, Cindy Slade, Sharon Sullivan, Bruce Lessard, Lucy Brown, Chief Prada, Kevin Mullaney of the Banner and Marilyn Miller of the Cape Codder.

Mr. Gaechter convened the meeting at 6:00 p.m.

**Minutes: Mr. Palmer moved to approve the minutes of the May 29, 2007 as amended. Mr. Lucy seconded it. Vote: 3-0-2, with Mr. Hartman and Ms. Worthington abstaining due to their absence.**

**Public Comment:** Marian Averback expressed her concern regarding the recent newspaper article on the dumping untreated sewage into the bay. This is being done by whale watching boats. She urged the Board to join the other towns in working to eliminate this practice. Mr. Gaechter directed that the issue be placed on a future agenda for discussion.

Susan Kadar informed the Board that she would be sitting on the search committee to find a new Director of the CCC. She asked that the BOS consider discussing attendance at Annual Town Meeting when appointing people to serve on Boards and Committees, and to send a memo to Board and Committee members prior to town meetings urging their attendance.

**Interview:** Two applications were received to fill a vacancy on the BOH. Ms. Reed could not attend tonight and will be rescheduled for next week. Ms. Rose told the Board that she has enjoyed serving as an alternate to the BOH. She has learned a lot and knows she has more to learn. The issues that come before the BOH, the protection of public health and the environment are important to her. Mr. Palmer noted that she has the support of the BOH in moving from alternate to full member. **He moved to heartily nominate Tracey Rose to a full member of the Board of Health. Ms. Worthington seconded it. Vote: 5-0, unanimous.**

Mr. Palmer told the Board that Martha Ingrum could not attend this evening, but that the COA had voted that morning to support her application to move from an alternate to a full member of the COA. Ms. Nickerson, the other applicant for the vacancy, informed the Board that she was withdrawing her application because a prior commitment conflicts with the meeting time of the COA. **Mr. Palmer moved to appoint Martha Ingrum as a full member of the COA. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**Public Hearing, One-day Entertainment license:** Mr. Gaechter opened the public hearing. Missi St. Pierre represented the applicant, Jay Critchley. He has requested a license to hold an opening of a public art installation at the former Pilgrim Spring Motel, 352 Route Six on June

23<sup>rd</sup> from 5:00-8:00 p.m. She told the Board that he was aware of parking issues and the need for a police officer. Mr. Gaechter cautioned that care must be taken to keep the volume of the music down. **Mr. Gaechter moved to authorize the entertainment license with the proviso that arrangements are made for a police detail for the hours of the entertainment, and that the express permit is signed by the Building Inspector. Mr. Hartman seconded it. Vote: 5-0, unanimous.** With no comments from the public, the hearing was closed.

**Community Preservation Plan:** Ms. McCutcheon explained that this plan must be reviewed annually. They are holding a public hearing on June 28<sup>th</sup>. She gave the Board an overview of the plan and asked if they had comments. Mr. Gaechter said he thought they should add discussions with FinCom to Section IV. Mr. Hartman said he remains concerned with how little the town understands how the CPA works, in spite of all the CPC's efforts. Mr. Gaechter requested that the TNRTA are notified of the hearing. He would like copies of the draft plan available at Town Hall and the library. The Committee was commended for their work.

**Temporary Debt Issues:** Ms. Slade told the Board that she had solicited bids for a Bond Anticipated Note for the Community Center project, and a State Aid Anticipated Note for Chapter 90 funds. She requested that the Board approve the sale of the notes to Cape Cod Five Cents as they offered both the lowest interest rate and interest cost. **Mr. Palmer so moved. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

**COA REACH program:** Ms. Worthington reported on a meeting with the COA Director, the Chief of Police and of Fire/Rescue, and the Town Administrator. The volunteers of this program have used their private cars, but the Town Administrator raised the issue of liability, and this was a brainstorming session on what to do to facilitate this. It is not clear if there is a liability issue; Ms. Grenier is researching this, and finding out what other towns are doing. It is a vital service to provide transportation home from the hospital. The fire department could back up REACH volunteers and a tone sent out through dispatch if a volunteer is not available. Mr. Gaechter directed that the issue is placed on the agenda when more information is available. Mr. Palmer reported that the COA would like to continue the volunteer program in the meantime, and has requested that the BOS support this. Ms. Nickerson, a REACH volunteer, informed the Board that each year she must provide her insurance information to the COA and a CORI check is done; the onus is on the volunteer. She told Mr. Gaechter that she gets between 5-6 calls each year. **Mr. Palmer moved to endorse the use of volunteers for REACH until such time as a formal policy is reached. Ms. Worthington seconded it. Vote: 5-0, unanimous.**

**PLOG:** Mr. Palmer has drafted a letter to Provincetown BOS regarding the IMA and PLOG, and Provincetown's lack of cooperation in overseeing the implementation of the 2004 amended IMA. He read the letter to the Board, which includes the insistence of the Truro BOS for a meeting of PLOG by June 22<sup>nd</sup>. He noted that Provincetown doesn't want to discuss the IMA until further pump tests are done. Ms. Worthington supported the letter. Mr. Gaechter thought an additional sentence should be added that the two Boards will not meet to discuss water items until there is a reaffirmation of the IMA by Provincetown. **Mr. Palmer moved to send the amended letter to Provincetown immediately and stand by its demands that PLOG meet by**

**June 22, 2007. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**CC project bid award:** Ms. Nolan requested that the Board award the bid to A.P. Whitaker. She went over the figures with the Board. The bid of \$2,669,000.00, less \$28,000.00 for Alt. 1 and plus \$107,000.00 for alt. 2, comes to \$2,748,000.00. She noted that the budget was tight, but that the contingency is not out of line since it is at the recommended 5% of project cost. She has informed the TBC that they must be careful of delays and added costs. The TBC voted in support of A.P. Whitaker at a total of \$2,748,000.00. **Mr. Gaechter moved to award the bid to A.P. Whitaker. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

**Special Municipal Employee:** Chief Prada requested that in response to a letter he received from the State Ethics Commission the Board re-designate the position of Fire Chief as a Special Municipal Employee. Since he is also a member of the BOFE, he needs approval of a disclosure of financial interest. **Mr. Gaechter moved to designate the Fire Chief as a Special Municipal Employee and to approve a financial exemption to MGL Ch. 268A, 20c and 20d. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

**Illegal dumping:** Ms. Nolan told the Board that this is covered in the General Bylaw, Section 9. Mr. Lucy said the fine is not high enough. That was agreed on, but would require a change to the Bylaws at Town Meeting. Mr. Gaechter suggested establishing a follow-up file for needed changes to the Bylaws. He questioned if the BOH could act on this. Mr. Palmer thought that they could through their regulations, and he will take it up with them.

**Town Administrator's Report: (action items)**

- Received copies of letters from abutters of the Snows Field project. The plans have been extensively revised since the Recreation Commission held their public hearing. Mr. Gaechter directed that the revised plans be displayed at the Town Hall and put back on a future BOS agenda.
- Received a request from the Town of Walpole asking for support for legislation protecting against unfriendly 40B projects. Mr. Gaechter directed Ms. Nolan to send a letter to the Planning Board asking for their input, with a date certain for response. When response is received, it should be put back on the agenda.

**Selectmen/Liaison Reports: (action items)**

**Worthington: -** Reported on the Tercentennial Celebration Committee meeting she attended. She feels that they are overburdened and they need the support of the BOS. They will be coming before the Board in a few weeks. They also need seed money. They had hoped for a bigger response from the community, and she feels the BOS need to plan what they plan to do, individually and as a group.

**Next week's agenda: Chief Thomas-quarterly report, fee discussion.**

**Other business: Mr. Hartman moved to accept with regret the resignation of Deborah Paine from the TBC and that a letter of thanks be sent to her. Mr. Gaechter seconded it.**

**Vote: 5-0, unanimous.**

**At 7:18 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to discuss personnel issues and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. 5-0, unanimous.**

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Alfred Gaechter, Chairman

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Gary Palmer, Vice-Chairman

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Christopher R. Lucy, Clerk

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Curtis Hartman

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Janet W. Worthington

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